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Domestic Politics in the Book of Judges:
The Story of Gibeah

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The book of Judges describes the Biblical time period from the death of Joshua to the establishment of kingship. While most previous discussions of the politics of this period have focused on the role of savior-judges in meeting external threats, this paper uses the dramatic story of the outrage at Gibeah in the appendix of Judges to illumine internal political problems. By portraying a time of domestic violence and social disintegration, the story of Gibeah points both to the need for a more far-sighted federalism and for a more regularized system of leadership like that later embodied in the monarchy. The story also illuminates the Hebrew concept of justice and its ties to the theme of hospitality, as well as the need for virtuous citizens who express dependence upon God. The appendix of which the story of Gibeah is a part is thus shown to be critical to understanding the book of Judges as a whole and to illuminating the Biblical paradigm of the just regime.

I

The Old Testament book of Judges, covering the roughly two-hundred year period between the accounts of the Exodus and the reign of early kings of Israel, has not caught the imagination of many political theorists. However, the second appendix to this book provides important political insights. The authors, or editors, of the book of Judges describe this period as a time of forgetfulness; those who lived then had neither the direct experience nor the proper memory of their forebearers. After Joshua’s generation, “... there arose another generation after them, which knew not the Lord, nor yet the works which he had done for Israel” (2:10). Neither remembering their fathers nor God’s great deeds on their behalf, the people of Israel became even more subject to the cycle of sin and deliverance so evident during the years of wandering the wilderness. Thus, forsaking their fathers and their fathers’ God, the people pursued the false gods around them. God, in turn, permitted their enemies to discomfort them, always, however, raising up judges to deliver the Children of Israel once their groanings had ascended to Him. With the death of each judge, and sometimes before, the people would forget again and the cycle would be repeated:

when the judge was dead ... they returned and corrupted themselves even more than their fathers, in following other gods to serve them, and to bow down unto them; they ceased not from their own doings, nor from their stubborn way. And the anger of the Lord was hot against Israel (Judges 2:19–20a).

Most of the deliverers were military leaders or “saviors” first and judges only secondarily. Altogether, there are perhaps a dozen savior-judges listed in the book of Judges including such notables as Samson,
Deborah, Gideon, and Samuel. The laws of Deuteronomy also describe another category of judges who adjudicated disputes taken to local courts which required "a higher and more objective judicial authority than could be provided by the elders of the city." These minor judges appear to have been appointed (Deuteronomy 16:18-19) and apparently "were associated or even identical with officers and military commanders (Exodus 18:21, Deuteronomy 1:15)." Thus, the savior-judges who are the principal subject of the book of Judges may not have been entirely distinct from the minor judges.

The chief contrast between the savior-judges and other officials exercising "traditional" or "legal-rational" authority was their "charismatic" leadership. Savior-judges thus typically emerged in "a situation of major crisis," manifested "direct contact with transcendental power," often involving "public signs and acknowledgements," received power spontaneously and for limited tasks, and without apparent dependence upon "social class or station, ... age-group or sex." Such judges were neither "necessarily linked to important religions or civic centers," nor were their powers based on "formal rules or administrative organization" or "coercion." Since Chapters 1-16 of Judges deal primarily with these military leaders, the chapters focus chiefly on external threats and how they were met in the absence of a central authority. This has been the primary concern of most studies of political thought in the book of Judges rather than the problems in domestic governance which figure prominently in the twin appendices (Chapters 17-21).

In the first appendix, the idolatry of the tribe of Dan is twice explicitly tied to the lack of a king in Israel (17:6 and 18:1) during which time, "every man did that which was right in his own eyes" (17:6). The same explanation is repeated at the beginning and end of the second appendix (19:1, 21:25) which graphically describes the domestic violence and moral degeneracy of the Benjamite city of Gibeah. Thus, while Chapters 1-16 of Judges focus on the decentralized approach to external threats, the last five chapters show how the lack of a stronger central authority leads to the rise of domestic upheaval and corruption as well. The second appendix demonstrates the need for the centralization of political authority and a virtuous citizenry and illuminates the nature of justice.

The central character in the second appendix of the book of Judges is an unnamed Levite, or priest, introduced as a sojourner "on the side of Mount Ephraim" who has taken a wife, or concubine, from Bethlehem-Judah (19:1). His wife, after either playing the harlot or "because she was angry with him," returns to her father's home. Four months later, her Levite husband goes "to speak friendly to her." He is gladly received by his father-in-law who persuades the Levite to dine with him for three days. On the fourth day the Levite "arose early in the morning" to return home with his concubine, but he was encouraged to feast with his father-in-law who persuades him to stay yet another night. During the next day, the father-in-law attempts again to
detain the Levite, but, after another round of feasting, the Levite leaves in the afternoon.

Leaving Bethlehem-Judah the Levite, his servant, and his concubine reach the city of Jebus, or Jerusalem. The servant, noting how late it is, suggests that they lodge there, but the Levite refuses; “We will not turn aside hither into the city of a stranger, that is not of the children of Israel; we will pass over to Gibeah” (19:12). The party proceeds to this city of Benjamin, arriving after sundown. The party sits down “in a street of the city” because “there was no man that took them into his house to lodging” (19:15). The failure to be offered board was not the Levite’s fault for he had come supplied with provisions (19:19). The city’s inhospitality to other tribesmen is highlighted in the account by the eventual offer of lodging and provisions from an elderly sojourner in Gibeah from the Levite’s city of Ephraim.

As the Levite feasts with his Ephramite host, “certain sons of Beliah beset the house,” beat on the door, and ask that the host produce his visitor in order that they “may know him” (19:22). The nature of the Benjamites’ request is indicated both by the host’s identification of their “wicked” purpose (19:23) and by the way that the men’s desires are subsequently satisfied; the host offers his daughter and the visitor’s concubine to placate them. Only when the guest turns over his concubine to the men are they satisfied. They, in turn, “knew” the woman, abusing her and not releasing her until morning. Her husband finds her dead with her hands upon the threshold of the house. The Levite returns to his home and cuts her body into twelve pieces which he sends “unto all the coasts of Israel” (19:29). This call to remember the conveant, like the subsequent action by Saul recorded in I Samuel 11:7, proved efficacious. The people of Israel subsequently gather in great numbers at Mizpah where the Levite recounts his treatment in Gibeah, explains his initiation of the conveant against the miscreant tribe and asks for “advice and counsel.” “Knit together as one man,” the assembly decides to attack the tribe of Benjamin. Before taking such drastic action, they request that the Benjamites “put away this evil from Israel” (20:13) by delivering the malefactors for execution. After the Benjamites refuse, three attacks are launched; the third results in the sacking of Gibeah from which only six hundred Benjaminite men escape. This attack on the Benjamites is followed by an attack on the Trans-Jordan city of Jabesh-gibeah, which had refused the call to arms against the Benjamites (21:10–12). Four hundred virgins who were spared in the city were eventually given to the Benjamite men to save the tribe from extinction, and two hundred others were provided in an event similar to the rape of the Sabine women (21:16–23).

The story ends on a theme of disunity. The Benjamites returned with their new wives “unto their inheritance” (21:23). Likewise, “the children of Israel departed thence at that time, every man to his tribe and family . . .” (21:24). The crisis over, every man again became occupied with his own affairs, and, without a king, each man continued to do “that which was right in his own eyes” (21:25).
The story of Gibeah is acted out within the governmental institutions of the period of the judges. Although not highly formalized, these arrangements were modified versions of the political and sacred institutions established under Moses. These include the 'edah and the elders, as well as the two types of judges mentioned earlier. The 'edah, sometimes referred to as the congregation or assembly, consisted of the arms-bearing male population and roughly paralleled the democratic institutions of ancient Mesopotamia and Homeric Greece. The 'edah had judicial, political and sacred functions and was convened for a variety of cases including the breach of the covenant with God; appointing a leader or proclaiming war; and for national crises or calamities.

The elders were originally chosen by Moses to aid him in governing the people of Israel (Exodus 18, Numbers 11, and Deuteronomy 1). Men of distinct social grade, rather than advanced age, the elders constituted the consulting body of the city, nation, or king. The categories of elders included the elders of the people or country, the elders of an area, tribe, or city, and the elders of the priests. In the Gibeah account references to the 'edah, or congregation, and the elders of the people are used interchangeably.

The pan-tribal government during the period of judges, like that of some of the early Greek confederacies, has often been called an amphictyony, a word derived "from the verb meaning 'to live in the neighborhood' of a shrine." While some recent scholarship has questioned the adequacy of this terminology, the form of political organization was undoubtedly more confederal than federal. Each of the tribes exercised relative independence over its affairs, an independence accentuated by geographical divisions within Canaan and by the continuing presence of non-Israelite communities within the land. While independent in many affairs, the tribes were bound by covenant on matters of defense against external foes and, in some measure, by obligations to Yahweh. In neither case did the central authority exercise direct powers over individual tribesmen, a power implicit in federal rather than confederal governmental forms. Indeed, there were few occasions in which the elders or the savior-judges were able to unite all the tribes on a single venture.

From this perspective the story of the Levite at Gibeah is unique; it is the "... sole illustration from the era of the Judges of concerted action by a pan-tribal alliance (excluding the punished tribe), led not by a judge not yet a king, but by its representative institutions." It is not immediately clear whether the united action in this case was a result of the heinousness of the offense being punished, the extraordinary initiative of the offended party (Judges 19:20) or because, occurring relatively early in the confederal period when some memory of early unity might have been current, the people had a stronger sense of covenantal ties than they did later. Some speculate that the unified action may have reflected the frictions that had traditionally separated the tribes of Israel which settled in the Trans-Jordan, or eastern side of the Jordan River, from those which settled to the west. In no instance
did the tribes of east and west join forces in a battle for freedom. The nature of the confederation was certainly such as to accentuate tribal differences. Moreover, like other confederacies, its weakness was its inability to secure domestic justice against guilty individuals who had the backing or acquiescence of their tribe without warring against the entire body. The successful actions of the confederation against Gibeah are indicative of a confederal failure; the redress of an individual wrong almost obliterated one of the confederation’s members.

The confederation’s difficulty in establishing domestic justice was paralleled by its inadequacy in meeting a more powerful external foe. Barely able to meet the relatively disunited actions of the indigenous population of Canaan, the confederation could not stand, without restructuring, against the militaristic Philistines who were also relative newcomers to Canaan.16

The loose confederation was, of course, replaced by kingship in a series of events discussed in I Samuel. Numerous commentators have noted a tension in these accounts.17 Samuel, the last of the judges, at once anointed the first king (Saul) and conveyed God’s displeasure with the people’s actions. Although pointing to some of the evils associated with kingship (I Samuel 8:10–18), the primary displeasure which Samuel echoed was the people’s lack of faith and their vain desire to be like surrounding nations (I Samuel 8:19–20). The subsequent reigns of kings such as David, Solomon, and Josiah certainly suggest that a good king could lead his people to a truer understanding of their covenantal relationship with God. Wildavsky’s recent study of Exodus suggests that the Biblical understanding of government precluded rule by someone who claimed to be a god, e.g. Pharoah, and it required enough structure to avoid the pitfalls of anarchy, but, between these two extremes, there was a range of options tending to varying degrees of hierarchy and equity.18

IV

The extraordinary story of Gibeah parallels the record of Sodom in a number of important particulars which illumine the authors’ intentions. The Genesis account centers on another sojourner, Lot, Abraham’s nephew. The story begins with a visit by two men to Abraham to announce the birth of his son and to warn of the impending doom of Sodom the “outcry” against which has come to God’s attention (Genesis 18:20; also 19:13).19 Like the Levite’s father-in-law, Abraham treats the men hospitably, and they in turn proceed to Sodom to warn Lot to flee.

As in the story of Gibeah, the visitors are offered hospitality by a sojourner in the city, this time Lot, rather than by the native-born residents. As in Gibeah, certain men of the city come to Lot’s house with the desire to “know” his guests (Genesis 19:5). Lot remonstrates against their wicked intentions and offers his daughters instead. Only the supernatural intervention of Lot’s two guests saves Lot’s companions (Genesis 19:10–11), and again God unleashes judgment against the city.

Contemporary scholarship has attempted to clarify the specific
sins of which Sodom and Gibeah were guilty. One study, in particular, has argued that neither city was specifically associated with homosexuality—a point which receives credence from Josephus's failure to cite the homosexual motive in his account of Gibeah, but is otherwise inconsistent with the Biblical accounts. In both stories, the citizens are said to desire to "know" the male visitors, and in both this intention is clearly identified as wicked (Genesis 19:7, Judges 19:23).

In neither story do the men carry out their homosexual desires, but in the story of Gibeah a violent sexual attack is perpetrated. Here, as in other Biblical accounts of sexual attacks, the specific wicked conduct is an indication of wider social disintegration and inhospitality:

In Judges 19 this act of inhospitality and disorder is the second in a pattern of disruptions of proper relationships, for it is the concubine’s falling out with her husband that leads to his journey. The narrative thus moves from problems in the literal nuclear family . . . to the hostile interactions between members of the larger metaphoric family, the community of Israelites. It is extremely significant that the rapists are Israelites. Where positive community feelings should be found, they are not only lacking but violated.

Thus, sexual aggression is not presented as an isolated sin but as a symptom of more general injustice and corruption, particularly towards outsiders. Indeed Ezekiel (16:49), Isaiah (1:9), Amos (4:11), Jeremiah (23:14), and Hosea (9:9, 10:9) variously treat the cities of Sodom and Gibeah as archetypes of ultimate corruption and evil, an evil stemming from the absolute baseness of their spiritual and moral condition.

Give the parallels between the stories of Gibeah and Sodom, the treatment of Sodom in the *aggadah*, part of the Oral Law tradition, may shed further light on Gibeah’s sins. There Sodom’s wickedness is identified as inhospitality. According to the *aggadah*, Sodom so twisted the dictates of hospitality and justice that four of their judges were said to have been named, “Liar,” “Awful Liar,” “Forger,” and “Perverter of Justice,” and charity is said to have been punishable by death.

This tradition parallels other Old Testament references to the cities’ social injustice and inhospitality. Hospitality is a chief component of the view of justice presented in the Old Testament, a command from God associated with Israel’s experience as a nation of aliens in Egypt. Thus, judges were admonished to “judge righteously between every man and his brother, and the stranger that is with him,” (Deuteronomy 1:16), and the people were instructed to “love ye therefore the stranger: for ye were strangers in the land of Egypt.” (Deuteronomy 10: 19) Again and again, hospitality to strangers was rooted in Israel’s unique history:

But the stranger that dwelleth with you shall be unto you as one born among you, and thou shalt love him as thyself; for ye were strangers in the land of Egypt; I am the Lord your God (Leviticus 19:33–34).

Sodom and Gibeah reveal their injustice by their treatment of out-
siders. Both demonstrate an inordinately narrow conception of their relation to the more general human family, and in Gibeah's case even with fellow countrymen. Such narrow vision suggests an excessive self-love and further accounts for Biblical references to Sodom's greed and to the fate of Lot's wife as she flees Sodom. Excessively attached to her own, she looks back and is turned into a pillar of salt (Genesis 19:26).26

The city of Gibeah is guilty of similar offenses, but with less justification. In the first place, the people of the city should be aware both of the example of Sodom and of the way that their own identity had been shaped as a nation of sojourners. As importantly, the person to whom they refuse hospitality is a fellow Israelite and a servant of God. He has come to the city specifically to avoid having to spend the night among foreigners, and he has come to a tribe whose progeniter, Benjamin, was born in transit from one place to another (Genesis 36:18–20).27

If the social injustices of Sodom and Gibeah are evident, the role of their domestic political institutions is more problematic. The representation of the judges of Sodom in the *aggadah* hardly suggests that they would have restrained injustice. In Gibeah, one suspects that the problem was not so much an absence of internal leadership as the failure of this leadership to act. While Gibeah's successes in the first two battles with the collective host of Israel may have stemmed partly from the advantages inherent in a defensive position, they also suggest that leadership was present. Similarly, the fact that the other tribes asked the Benjamites to redress the evil against the Levite's concubine (Judges 20:13)28 would indicate that they could have done so.

Gibeah's problem was not the lack of governmental structures but of a virtuous citizenry. Her citizens and leaders had lost concern over the way of life of the city, at least as it related to the treatment of outsiders. In a city where everything was permitted and all gods worshipped, a condition described in the first appendix, any injustice was possible. The point of the parallels to Sodom was that Gibeah had become no better than the most evil pagan cities around her.

While no city will be composed solely of just men, a city in which such men have no influence becomes debased beyond recognition. There were not even ten just men in the city of Sodom, (Genesis 18:32–33) and Lot, the one so identified, was excessively devoted to luxury (Genesis 13:10–11, 19:19–21). One cannot know for sure whether there were any just men in Gibeah, but none is mentioned, unless it is the hospitable sojourner from Ephraim; none took action to prevent or redress the offense against the Levite; and the near extermination of the city suggests that there were few, if any, who were worth saving.

In addition, the Benjamites fail to express the dependency upon God which is the Biblical hallmark of the just of virtuous man.29 Thus, in the battle against the rest of the confederation, the city of Gibeah expresses faith in her own powers. Significantly, when recording the
number of troops from Gibeah, the authors of Judges cite a special force of seven hundred left-handed men, "every one [of which] could sling stones at a hair breath, and not miss." (Judges 20:16) Moreover, while the other tribes consult the Lord before each battle (Judges 20:18, 23, 26–28), there is no mention of such consultation by the Benjamites. This is not to say that the sin of pride was limited to the tribe of Benjamin. While the collective tribes did inquire of God before each battle, their heavy losses in the first two engagements suggest that they were depending more upon their own superior numbers than upon God's aid. Only after the people subsequently "wept," "fasted," and "offered peace and burnt offerings" (20:26) did they gain the victory.

VI

Undoubtedly, the Israelites were correct in punishing the flagrant injustices of Gibeah, but was the punishment too drastic? A problem with any confederal form of government is that there is no middle ground between request and collective coercion. Given that God might have held the entire confederacy responsible for Gibeah's sins, one can hardly condemn the other tribes for taking action. By the same token, the extreme measures later taken to avoid complete extermination of the Benjamites suggests that the punishment meted out to them was excessive.

Like the Benjamites, the other tribes forgot or undervalued their obligation to one of their own. They failed to distinguish God's instructions regarding non-Israelite foes (Judges 1:1–5) from the necessary discipline of a fellow tribe. Once the slaughter of the Benjamites began, there was no leader with sufficient power, will, or interest to stop it. This time no savior-judge stepped forward.

A kingly leader of a more unified federation might have had the power to punish the miscreant sons of Gibeah without warring against the entire tribe. If a king had found war to be the only solution, however, he might have stopped short of the near total destruction of the Benjamites if for no other reasons than his concern for the continuing glory and security of the nation as a whole. The account of the radical nature of the "cure" for Gibeah's offense seems to be yet another indication of the need for a more farsighted federalism and more centralized leadership.

VII

One of the most fascinating aspects of the story of Gibeah is its success in raising perennial issues of political thought in a concrete narrative fashion that—like such works as Thucydides' Peloponnesian Wars and Plutarch's Lives—makes an effective complement to the study of more abstract works of western political theory. Such themes as the need for more centralized leadership, the ties between justice and law and justice and hospitality, the desirability of a stronger federation, the importance of dependency upon God, and the limits of punishment emerge here, as elsewhere in the Old Testament Scriptures, from the telling of the stories and the perception of the characters and events themselves rather than through the imposition
of abstract theoretical schemes as such. The effectiveness of the Gibeah story as a form of political discourse suggests that further benefits may be derived from a careful examination of scripture as political narrative.

FOOTNOTES
5Susan Niditch, "The 'Sodomite' Theme in Judges 19–20: Family Community, and Social Disintegration," The Catholic Biblical Quarterly, 44 (July 1982), p. 370, notes, however, that there is no hint of further communication between the Levite and his concubine.
6"Congregation (Assembly)," Encyclopedia Judaica, v. 5, p. 896.
13A History of the Jewish People, H.H. Ben-Sasson, p. 79.
15The Ephraimites may have been the chief instigators of various inter-tribal clashes, including the assault on the Benjamites. A History of the Jewish People, H.H. Ben-Sasson, pp. 65, 78–79, 84–88.
19One author notes that “the word ‘outcry’ (tse-aqah) is the word used of the Israelites groaning under the political social oppression of Egypt, and under later foreign oppression.” See Christopher J.H. Wright, An Eye For An Eye: The Place of Old Testament Ethics Today (Downers Grove, IL: Inter-Varsity Press, 1983), p. 106.
21In Josephus’ account, the strangers originally come to the house not for the Levite but for his concubine. See Jewish Antiquities, Book V (Cambridge: Harvard University Press, MCMCXVI), p. 67.
22Niditch cites the rape of Dinah and the rape of Tamar as further examples. See “The ‘Sodomite’ Theme in Judges 19–20,” p. 368.
26Hillel Fradkin ties Sodom’s self-love to its treatment of strangers. See “God’s Politics:


28 Josephus also notes the request for redress from the Benjamites. See *Jewish Antiquities*, Book V. p. 69.

